Practitioner's Docket No. 80113-00

IN THE UNITED STATES PATERIT AND TRADEMARK OFFICE

In re application of:

Reichgott et al.

Application No.: 09/353,583

Group No.: 2711

Filed: 07/15/99

Examiner: H. Tran

For: METHOD AND APPARATUS FOR PEVENTING DISRUPTING IN SET-TOP

FUNCTION DUE TO THE DOWNLOAD OF UPDATED PROGRAMMING OR DATA TO THE

TOP TERMINAL

Assistant Commissioner for Patents Washington, D.C. 20231

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES (37 C.F.R. § 1.191)

NOTE: An appeal may be based on one rejection in a prior application and one rejection in a continuing application. 62 Fed.

Reg. 53,131, at 53,167; 1203 O.G. 63, at 93 (Oct. 10, 1997).

There is no requirement for a notice of appeal to: (1) be signed; or (2) identify the appealed claims. 62 Fed. Reg. 53,131, NOTE:

at 53,167; 1203 O.G. 63, at 94 (Oct, 10, 1997).

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed 08/16/00, finally rejecting claims ____1-42__.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

transmitted by facsimile to the Patent and

FACSIMILE

 \mathbf{X} deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signatur

02/14/01

Trademark Office.

(Notice of Appeal from the Primary Examiner to Board—page 1 of 4)

02/21/2001 HPRASASD 00000040 180013

02 FC:117

This application is or	n behalf of		
[x] other than a s [] a small entity	-		
A statement:			
[] is attache [] was alrea	ed. ady filed on		
2. FEE FOR FILING NO	OTICE OF APPEAL		
Pursuant to 37 C.F.R	. 1.17(b), the fee for filin	ng the Appeal Brief is:	
[] small entity		\$150.00	
[x] other than a s	small entity	\$310.00	
	Notice o	of Appeal fee due \$	310.00
3. EXTENSION OF TE	ERM		
	C.F.R. 1.645 for extension o		1.136 for patent applications. 37 C.F.F. ags and 37 C.F.R. 1.550(c) for extensio
	(complete (a)	or (b), as applicable)	
The proceedings here	ein are for a patent applic	cation and the provisions of	of 37 C.F.R. 1.136 apply.
		on of time under 37 of the of months checked below	C.F.R. 1.136 (fees: 37 C.F.R
Extension	Fee for other tha	n Fee for	

	Extension (months)	Fee for other than small entity	Fee for small entity
[]	one month	\$110.00	\$55.00
[]	two months	\$380.00	\$190.00
[X]	three months	\$870.00	\$435.00
[]	four months	\$1,360.00	\$680.00

Fee \$ _____870.00

If an additional extension of time is required, please consider this a petition therefor.

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	(a)	[] An	(check that complete the next item, if applicable) An extension for months has already been secured, and the fee particular is deducted from the total fee due for the total months of extrequested.		
			Extension fee due with this request \$	_	
			or		
	(b)	[x]	Applicant believes that no extension of term is required. However, this petition is being made to provide for the possibility that applicant has overlooked the need for a petition and fee for extension of time.	inadvert	
1.	TOTAL	L FEE D	DUE 80	33	器
Γh	e total fe	e due is:	is:	FEB 22 2001	RECEIVED
			is: peal fee \$ 310.00 e (if any) \$ 870.00 TOTAL FEE DUE \$ 1180.00	2001	/ED
				<u></u>	-
5.	FEE PA	AYMEN	ENT		
	[X]	Charge	is a check in the sum of \$ rge Account No. 18-0013 the sum of \$ _1180.00 . of this transmittal is attached.		
5.	FEE D	EFICIEN	ENCY		
VO	add defi incl cha	itional tim ciency is n uded, proc rges prior	a fee deficiency and there is no authorization to charge an account, additional fees are necessitime consumed in making up the original deficiency. If the maximum, six-month period has explied and corrected, the application is held abandoned. In those instances where authorization occessing delays are encountered in resuming the papers to the PTO Finance Branch in ordefior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be active of April 7, 1986, 1065 O.G 31-33.	pired befo ion to cho r to apply	ore the arge is v these
	[X]	-	by additional extension and/or fee is required, this is a request therefor arount No. 18-0013 .	nd to c	harge
			AND/OR		
	[X]	If any a	y additional fee for claims is required, charge Account No. 18-0013		

(Notice of Appeal from the Primary Examiner to Board—page 3 of 4)

MULLO SIGNATURE OF PRACTITIONER

Reg. No. 36,372

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